

## State of New Jersey

Chris Christie  
*Governor*

Office of the Attorney General  
Department of Law and Public Safety  
Division of Gaming Enforcement  
1300 Atlantic Avenue  
Atlantic City, NJ 08401

Jeffery S. Chiesa  
*Attorney General*

Kim Guadagno  
*Lt. Governor*

David L. Rebeck  
*Director*

April 16, 2012

Mr. Joseph Corbo, Jr.  
Vice President & General Counsel  
Borgata Hotel Casino and Spa  
1 Borgata Way  
Atlantic City, NJ 08401

Dear Mr. Corbo:

The staff of the Division of Gaming Enforcement's Regulatory Enforcement Bureau has reviewed Petition # 0961202 filed by Marina District Development Company, LLC d/b/a Borgata Hotel Casino and Spa dated April 5, 2012. Borgata is seeking approval for amendments to its Certificate of Operation.

Borgata Hotel Casino and Spa is currently operating under the Certificate of Operation, which was approved in Petition # 0871202 on April 2, 2012, by the Division of Gaming Enforcement.

By Petition # 0961202, Borgata Hotel Casino and Spa is seeking approval to complete modifications to its casino room, as depicted on POP-23 dated February 17, 2012, prepared by R2Architects, David J. Rudzenski, AIA, License #08443 (Exhibit A).



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**The petitioner proposes the following:**

**POP-23**

1. Pit # 3 - Remove two (2) tables and add two (2) tables.
2. Pit # 17 - Remove two (2) tables and add one (1) table.
3. Slot Zone B - Remove eight (8) slot machines and stools.
4. Slot Zone C - Remove four (4) slot machines and stools.
5. Slot Zone D - Remove eight (8) slot machines and stools.
6. Slot Zone E - Remove twenty-six (26) slot machines and stools.
7. Slot Zone F - Add eight (8) slot machines and stools.
8. Slot Zone G - Remove eight (8) slot machines and stools.
9. Slot Zone H - Remove sixty-five (65) slot machines and stools.
10. Slot Zone J - Remove eighteen (18) slot machines and stools.
11. Slot Zone K - Remove three (3) slot machines and stools.
12. Slot Zone N - Remove six (6) slot machines and stools.
13. Slot Zone P - Remove twenty (20) slot machines and stools.
14. Slot Zone Q - Remove eight (8) slot machines and stools.

**The summary of the statistical calculations is as follows:**

1. A decrease of one hundred sixty-six (166) slot machines and one hundred sixty-six (166) slot stools. The total number of slot machines is **3,309** and the total number of slot stools is **3,309**.
2. A decrease of one (1) table game; the total number of table games is now **258**. The casino floor total is reduced to **183** table games and the simulcast total remains at **75** table games.
3. The total casino gaming area is not changed and will remain at one hundred sixty thousand two hundred eighty-seven (**160,287**) square feet. (casino floor **136,667 sq ft** + simulcast **23,620 sq ft** = total casino gaming area of **160,287 sq ft**).
4. Allowable Slot Area is 144,258 square feet. (160,287 square feet of casino space X 90% = 144,258)

5. Total Slots permitted is 14,425. ( $144,258/10 = 14,425$ )
6. Total Slot Area is 92,682 square feet or 58% of the total gaming area. (As Certified by Exhibit F)

Based on the Division's authority, the requested amendments to the Marina District Development Company, LLC d/b/a Borgata Hotel Casino and Spa (hereafter known as POP-22), Certificate of Operation as set forth above, is hereby granted pursuant to N.J.A.C. 13:69C-7.3, et seq. This approval authorizes a casino containing and consisting of: **160,287** square feet of total gaming space, **258** table games, **3,309** slot machines and **3,309** slot stools as referenced in the petitioner's letter.

Please note that although the blueprint does not depict areas of the gaming floor as smoking and nonsmoking, the designation of smoking areas in casinos is subject to the jurisdiction of the NJ Department of Health and Senior Services and the Atlantic City Department of Health and Human Services, not the Division. Accordingly, this letter should in no way be construed as approving areas of the gaming floor for smoking.

**This approval is subject to the following conditions:**

- A. That the revised operational blueprints (POP-23), reflecting the changes approved herein, inclusive of any deficiencies noted, shall be submitted to the Division's Regulatory Enforcement Bureau, casino licensee's security podium and the casino licensee's CCTV monitoring room;
- B. That a revised Table Game Inventory list be submitted to the Division;
- C. That all steps necessary and appropriate to ensure maximum patron comfort and safety during the period of renovation shall be taken;
- D. That the procedures detailed in the Slot Procedures Manual shall be followed during the movement of slot machines;
- E. That a revised Slot Master List shall be submitted to the Division;
- F. That the Borgata Hotel Casino and Spa shall notify the Division immediately in the event of any modification to the approvals granted herein;

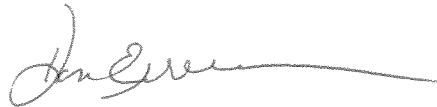
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- G. That the Borgata Hotel Casino and Spa shall comply with all requirements and conditions appended to approvals received from all involved agencies of government whose approvals are required in order for a Certificate of Occupancy for the general public to be issued including, but not limited to, the Department of Community Affairs and the local construction official; and,
- I. Once modifications have been completed, a satisfactory inspection and approval by the Division is required to ensure the changes made conform to the petition. The review also includes, but is not limited to, an assessment of the adequacy of CCTV and security coverage. Such inspection must be done **prior to the proposed areas being used for gaming activity.**

To schedule an inspection, please contact the Division at [inspections@njdgc.org](mailto:inspections@njdgc.org).

If you have any questions, please do not hesitate to contact Bill Kendzierski of my staff at 441-7557.

Sincerely,



Don Errera, Deputy Chief  
Regulatory Enforcement Bureau

RSH/DE

cc:

DGE Intake Unit  
Charles Kimmel, DGE  
Lisa Spengler, DGE  
C-56-12-007